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June 7, 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Mr. William F. Caton, Secretary
Federal Communications Commission
1919 M Street, N. W.
Washington, D. C. 20554

Re: Administration of the North American
Numbering Plan, CC Docket No. 92-237 (Phases
One and Two)

Dear Mr. Caton,

Pursuant to the Commission's April 4, 1994 Notice of
Proposed Rulemaking in CC Docket No. 92-237 (Phases One
and Two), please find enclosed an original and six
copies of Comments of Bell Communications Research,
Inc. as Administrator of the North American Numbering
Plan for filing in the above proceeding.

Please stamp and return one copy to confirm your
receipt. Please communicate with me, or with Mr. Joel
Ader of our Washington, D. C. offices, should you have
any questions concerning this matter.

Sincerely,


Michael S. Slomin

Enclosures

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JUN 17 1991

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

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| In the Matter of |) | |
| |) | |
| Administration of the North |) | CC Docket No. 92-237 |
| American Numbering Plan |) | Phases One and Two |
| and Related Issues |) | |

COMMENTS OF BELL COMMUNICATIONS RESEARCH, INC.
AS ADMINISTRATOR OF THE NORTH AMERICAN NUMBERING PLAN

As the Commission knows, Bell Communications Research, Inc. ("Bellcore") has, since divestiture in 1984, administered the North American Numbering Plan (the "NANPA" function), in a fair and even-handed manner that does not improperly favor Bellcore's owners or any industry grouping over others. However, as a reflection of the increasing contentiousness of numbering issues, the NANPA function began to be questioned several years ago.

The Commission opened this docket, first as an inquiry and now as a rulemaking proceeding, to address number administration issues. NANPA's filings in response to the initiating petition and in the inquiry phase of this proceeding outlined what we believe are appropriate overall principles and goals of number administration, e.g., conservation of scarce resources; fairness; private sector administration with industry involvement, subject to governmental oversight and review; and funding by a broad cross-section of the industry.

Rather than repeating these comments we hereby incorporate them by reference. To aid the Commission further, we offer additional comment drawn from our decade of experience as NANPA,

and from our participation in the recent efforts of the industry to cooperate more effectively in addressing numbering issues.

Industry Progress

In 1993 NANPA disseminated a "straw" long term numbering plan as a basis for discussion, and in March, 1993 convened a Future of Numbering Forum ("FNF") to provide the industry an opportunity to discuss and to reach consensus on a long term numbering plan. Over the course of time, the FNF evolved its discussions to address issues related to numbering plan administration, and the group has made significant progress in examining various funding and structural alternatives.

At its most recent meeting, the FNF reached consensus on an architecture for a "World Zone 1 Numbering Organization," encompassing a NANPA, an industry oversight committee, an industry forum to develop assignment guidelines, a sponsoring organization, and regulatory bodies. Additionally, the meeting identified specific aspects of numbering policy and where, in its view, the numbering policy decisions should be developed.

This rulemaking proceeding's comment and reply comment cycles have provided an alternative, more formal mechanism for the industry entities participating in the FNF to make their views known on numbering administration issues. FNF participants viewed this proceeding as superseding the work of the FNF, and reached consensus to shut down the FNF unless the FCC encourages its continuation and identifies specific issues for it to address.

We continue to believe that informal industry processes such as the FNF meetings are valuable as a means of avoiding drawn out formal governmental processes. While the Commission presumably can resolve numbering issues pursuant to its assertion of plenary jurisdiction over numbering, it must do so consistently with procedural and substantive due process, and with the requirements of the Administrative Procedures Act and the Communications Act. The processes for doing so can literally take years. However, numbering issues do not have the luxury of waiting for decisions. A failure to reach a numbering decision can itself be a decision, a decision that imposes costs.

We believe that the FNF has made, and can continue to make, significant progress in reaching consensus on issues related to numbering administration. The industry has made progress in the FNF in restructuring the way in which numbering resources are to be administered and the way in which administration is to be funded. We urge the FCC to endorse continuation of the FNF and its work, and that FCC staff participate actively in its meetings.*/ There can be no better or more lasting resolution of the issues addressed in this proceeding, and previously under discussion at the FNF, than one that reflects consensus of the

*/ There is precedent for FCC staff taking an active leadership role in promoting industry resolution of contentious issues, even if they may ultimately require resolution by the Commission. See, e.g., Exchange Network Facilities for Interstate Access (ENFIA), 71 FCC2d 440, 443 (1979); Interconnection Arrangements Between and Among the Domestic and International Record Carriers, 81 FCC2d 194, 195 n.4 (1982).

North American telecommunications sector, the very entities that will implement and use the results.

Reclamation

We urge the FCC to direct the reclamation of numbering resources that are no longer actively used, or are not used in accordance with assignment guidelines, so as to strengthen the ability of a future NANPA to conserve limited resources. In our experience, reclamation is an extremely important aspect of code administration. It helps to ensure that the supply of numbering resources remains available for those who need them and helps to postpone costly expansion when resources exhaust.

The need for reclamation is real. For example, fully one third of carrier identification codes assigned each month are subsequently reclaimed because the assignees fail to meet the terms of the assignment guidelines. However, except in cases where the assignee fails to take service and thus has no tariff or contractual basis for an assignment, because the FCC has not directed NANPA to engage in involuntary reclamation, NANPA only has effected voluntary reclamation. If an assignee refuses to make the resource available for reassignment, the only recourse has been for NANPA to write to the FCC requesting its guidance and assistance, as we did in the case of the merger and acquisition codes -- a time-consuming and inconclusive process.

The Industry Numbering Committee ("INC") workshop on Resource Management is discussing some potential methods by which involuntary reclamation can occur, and we urge the Commission to consider appropriately complementing their efforts.

Funding

The size of the NANPA staff is relatively small, approximately five people.*/ We believe that it is appropriate to recover the costs from a broad cross-section of the industry, to avoid allegations that the particular sector or sectors funding the NANPA might receive preferences in number assignments (regardless of how baseless such concerns may be in fact). However, the mechanism chosen to fund NANPA should not be so complex that it becomes necessary to augment NANPA staff to collect funds.

Many in the industry have argued that the costs of number administration should be apportioned in such a way that the users of the numbering resources pay their fair share, or, equivalently, that the cost causers become the cost payers. While we agree that this would be fair, the cost to develop and execute such an approach could easily exceed the cost of current administration activities. The major concern expressed in this proceeding and in forums such as the FNF has been that the costs of number administration be spread over a base that is large enough to allay fears that a single entity or group of entities might be perceived as able to influence NANPA decisions improperly.

*/ Of course, the NANPA organization receives general, technical, legal and administrative support from the remainder of Bellcore, which is not reflected in the direct total head count attributed to the NANPA function.

One way to accomplish this would be through establishment of a new fund, which could include participation by Canada, Bermuda, and the Caribbean (with their concurrence), but this would carry costs of establishment and administration. Alternatively, a ready funding mechanism might be provided through imposition of a surcharge on one of the several funds administered by the National Exchange Carriers Association (NECA). Having NECA collect the funds and disburse them to the NANPA might also provide some isolation between the administrator and those who pay for the service. However, this might not provide an appropriate vehicle for participation in funding by Canada, Bermuda and the Caribbean.

Centralization of Central Office Code Assignments

Centralization of central office code assignment may not be simple. There is a need to study how much of the function can be effectively centralized and how much should remain local, and to harmonize federal and state regulatory requirements and concerns.

When AT&T established the numbering plan in 1947, administration of central office codes was left with local exchange carriers. There was a reason why this was done: it was to enable the state commissions, which have traditionally overseen local numbering issues, to address their local concerns.

We are not arguing that central office code administration should not be centralized. Rather, we are pointing out that, if centralization is to occur, careful thought should be given to how it can be done most effectively. Consider, for example, the

role that local utility commissions play in exercising jurisdiction over dialing plans and relief plans. Is it feasible that a central administrator can keep track of and implement the wishes of fifty local commissions (plus the District of Columbia and United States territories and possessions)?

In 1991 the FCC asked Bellcore to take the lead in convening the industry to help develop uniform guidelines for the assignment of central office codes. In carrying out that role, we learned something of the complexity of central office code administration. For example, the central office code administrator is often responsible for developing relief plans when the supply of central office codes within an area or NPA begins to exhaust.

Should the FCC conclude that the administration of central office codes should be centralized, we propose that time be allotted for a study to identify the roles to be filled centrally, the roles to be retained locally, and the roles of the FCC and local commissions.

Feature Group D CIC Codes

Strict conservation of expanded Feature Group D carrier identification codes should be continued until the industry can reach consensus on new assignment guidelines. In the notice herein the Commission is proposing a transition period of six years. This would allow the current carrier access code (CAC) of 10XXX to coexist with the new CAC of 101XXXX during this time period.

We do not comment on the length of the period itself, noting only that the transition period can last no longer than the supply of expanded Feature Group (FG) D CICs in the 5000 and 6000 ranges. Instead, we comment on the FCC's recommendation to use the industry forum process to make changes to the existing conservation measures in order to ensure an adequate transition period. In this regard, we strongly recommend that the current conservation limit of one FG D CIC assignment per entity be retained until the industry has developed these measures.

Under conservation rules in effect since March, 1989, NANPA assigns only one FG D CIC per entity. As specified in the CIC guidelines, when FG D CICs are expanded to 4-digits (currently projected to be during first quarter 1995), this limit will increase to 6 FG CICs per entity, which will result in a substantial but undetermined increase in demand.*/

At the current one CIC per entity assignment rate of 15 FG D CICs per month, the supply of FG D CICs in the 5000 and 6000 ranges will last approximately 11 years. Obviously, the increase to six of the maximum number of CICs allowed to each entity will impact this considerably. The industry will be asked to look at this situation and establish new assignment criteria for the six-year transition period to be achieved without CIC exhaust. However, there are currently more than 700 entities that hold at

*/ Since FG B expansion in April of 1993, the maximum number of FG B CICs allowed per entity was increased to 5 per entity. Over this period the average number of FG B CICs assigned per entity has increased to about 1.7 per entity.

least one FG D CIC. On average, if each of these entities chose to request one additional CIC, that would reduce the supply by over 700 CICs, making it more difficult for the industry to meet the FCC's six-year transition period.

Furthermore, the assumed one additional CIC per entity may be conservative. When the industry realizes there will likely be restrictions on CIC assignments for six years, the demand for CICs may increase considerably after CIC expansion but before the new rules are adopted, which could deplete all or most of the 2000 available codes, depending on how long the industry deliberates. For these reasons, we recommend that the FCC retain the one CIC per entity limit until the industry has the time to resolve the situation.

Respectfully submitted,

BELL COMMUNICATIONS RESEARCH, INC.

by its attorney:

A handwritten signature in dark ink, appearing to read "M. S. Slomin", written over a horizontal line.

Michael S. Slomin

June 7, 1994

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CERTIFICATE OF SERVICE

I, Eileen M. Callahan, certify that a copy of the foregoing **Comments of Bell Communications Research, Inc. (Bellcore) as Administrator of the North American Numbering Plan**, in CC Docket No. 92-237 (Phases I and II), was served on this 7th day of June, 1994, by First Class United States Mail, postage prepaid, to the following persons:

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